

AMENDED IN SENATE APRIL 3, 2014

AMENDED IN SENATE MARCH 24, 2014

SENATE BILL

No. 987

Introduced by Senator Monning
(Coauthor: Assembly Member Stone)

February 12, 2014

An act to add Section 710.9 to the Fish and Game Code, *to add Section 31122 to the Public Resources Code*, and to amend Section 18754.2 of the Revenue and Taxation Code, relating to wildlife.

LEGISLATIVE COUNSEL'S DIGEST

SB 987, as amended, Monning. ~~Department of Fish and Wildlife: California Sea Otter Fund. Fund: Department of Fish and Wildlife: State Coastal Conservancy.~~

Existing law establishes the Department of Fish and Wildlife and sets forth the duties of that department. ~~Existing law, law establishes the State Coastal Conservancy with prescribed powers and responsibilities for implementing a program of agricultural land protection, area restoration, and resource enhancement within the coastal zone, as defined.~~

Existing law, until January 1, 2016, establishes the California Sea Otter Fund and allows taxpayers to designate on their tax returns that a specified amount in excess of their tax liability be transferred to the fund. Existing law requires a specified portion of money in that fund, upon appropriation by the Legislature, *to be allocated to the Department of Fish and Wildlife for the purposes of establishing a sea otter fund to be used within the department's index coding system for increased investigation, prevention, and enforcement actions. fund, as prescribed, and to the State Coastal Conservancy for competitive grants and*

contracts for research, projects, and programs related to the Federal Sea Otter Recovery Plan or improving the nearshore ocean ecosystem.

This bill would ~~authorize~~ *require* the department *and the conservancy* to take appropriate measures to encourage taxpayers to make contributions on their tax returns to the California Sea Otter Fund and would also authorize the department *and the conservancy* to disseminate information to the public about the status of California sea otters. The bill would require that costs incurred by the department *and the conservancy* in carrying out these activities be paid for, *upon appropriation*, with money allocated to the department *and the conservancy* from the fund.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 710.9 is added to the Fish and Game
2 Code, to read:

3 710.9. (a) The department ~~may~~ *shall* take appropriate measures,
4 including, but not limited to, public outreach activities, to
5 encourage taxpayers to make contributions by voluntary checkoff
6 on a tax return to the California Sea Otter Fund established in
7 Article 5.6 (commencing with Section 18754) of Chapter 3 of Part
8 10.2 of Division 2 of the Revenue and Taxation Code.

9 (b) The department may disseminate information to the public
10 concerning the status of California sea otters.

11 (c) The costs incurred by the department in carrying out the
12 activities *required and* authorized by this section shall, upon
13 appropriation by the Legislature, be paid for with money allocated
14 to the department pursuant to Section 18754.2 of the Revenue and
15 Taxation Code.

16 SEC. 2. Section 31122 is added to the Public Resources Code,
17 to read:

18 31122. (a) *The conservancy shall take appropriate measures,*
19 *including, but not limited to, public outreach activities, to*
20 *encourage taxpayers to make contributions by voluntary checkoff*
21 *on a tax return to the California Sea Otter Fund established in*
22 *Article 5.6 (commencing with Section 18754) of Chapter 3 of Part*
23 *10.2 of Division 2 of the Revenue and Taxation Code.*

1 **(b)** *The conservancy may disseminate information to the public*
2 *concerning the status of California sea otters.*

3 **(c)** *The costs incurred by the conservancy in carrying out the*
4 *activities required and authorized by this section shall, upon*
5 *appropriation by the Legislature, be paid for with money allocated*
6 *to the conservancy pursuant to Section 18754.2 of the Revenue*
7 *and Taxation Code.*

8 ~~SEC. 2.~~

9 **SEC. 3.** Section 18754.2 of the Revenue and Taxation Code is
10 amended to read:

11 18754.2. (a) All money transferred to the California Sea Otter
12 Fund, upon appropriation by the Legislature, shall be allocated as
13 follows:

14 (1) To the Franchise Tax Board and the Controller for
15 reimbursement of all costs incurred by the Franchise Tax Board
16 and the Controller in connection with their duties under this article.

17 (2) Fifty percent of the revenues remaining after allocation
18 pursuant to paragraph (1), to the Department of Fish and Wildlife
19 for the purposes of establishing a sea otter fund to be used ~~within~~
20 ~~the department's index coding system~~ *for sea otter conservation,*
21 *including, but not limited to,* for increased investigation, prevention,
22 and enforcement actions *related to sea otter mortality* and for the
23 purposes of carrying out the activities *required and* authorized in
24 Section 710.9 of the Fish and Game Code.

25 (3) Fifty percent of the revenues remaining after allocation
26 pursuant to paragraph (1), to the State Coastal Conservancy for
27 competitive grants and contracts to public agencies and nonprofit
28 organizations for research, science, protection, projects, or
29 programs related to the Federal Sea Otter Recovery Plan or
30 improving the nearshore ocean ecosystem, including, but not
31 limited to, program activities to reduce sea otter ~~mortality.~~ *mortality*
32 *and for the purposes of carrying out the activities required and*
33 *authorized in Section 31122 of the Public Resources Code.* The
34 projects or programs may also address pathogens and water and
35 wastewater treatment technologies.

36 (b) The State Coastal Conservancy shall solicit available federal,
37 private, matching, and other dollars to maximize or leverage funds
38 appropriated pursuant to paragraph (3) of subdivision (a) to provide
39 the greatest benefit for sea otters.

- 1 (c) The State Coastal Conservancy may enter into interagency
- 2 agreements with public agencies for purposes of paragraph (3) of
- 3 subdivision (a).

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